Remarks

Claims 1-3, 7, 9-15, 18-22, and 24-33 are pending in this application. In the Office Action mailed on January 25, 2010,[1] claims 1-3, 12-15, 22, 24-25, 27-28, and 32-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,571,236 to Ruppelt ("*Ruppelt*") further in view of U.S. Pat. No. 7,249,058 to Kim et al. ("*Kim*"). Claims 7, 9-11, 18-21, and 29-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ruppelt* in view of *Kim*, further in view of U.S. Pat. No. 6,738,780 to Lawrence et al. ("*Lawrence*"). Claim 26 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ruppelt* in view of *Kim*, further in view of U.S. Pat. App. Pub. No. 2002/0087408 to Burnett ("*Burnett*"). The Assignee respectfully traverses all rejections of the Office Action.

By this amendment, claims 1, 13, and 24 have been amended for matters of form. Following entry of this amendment, claims 1-3, 7, 9-15, 18-22, and 24-33 will remain pending in the application. For the reasons set forth below, the Assignee respectfully requests reconsideration and immediate allowance of this application.

Claim Rejections Under 35 U.S.C. § 103(a)

In the Office Action, claims 1-3, 12-15, 22, 24-25, 27-28, and 32-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ruppelt* in view of *Kim*. *Ruppelt* and/or *Kim* do not teach, suggest, or describe each and every recitation of these claims.

Independent Claims 1, 13, and 24

Amended claim 1 recites, *inter alia*, "generating a set of suggested services comprising the offered service." At least this recitation is not taught, suggested, or described by any of the cited references. In fact, the Office Action does not even mention at least this recitation of claim 1, as required to support rejections based upon 35 U.S.C. § 103. For at least these reasons, the Assignee respectfully submits that the rejection of claim 1 should be withdrawn.

Additionally, claim 1 includes recitations relating to determining an offered service associated with a "technical weighting" and a "preference weighting." At least these recitations are not taught, suggested, or described by *Ruppelt* and/or *Kim*. *Ruppelt* appears to disclose a

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[1] Hereinafter referred to as the "Office Action."

diagnosis tool for use in diagnosing a possible solution for a diagnosis query received from a customer. In an example set forth in *Ruppelt*, a user submits a diagnosis query. In the provided example, the diagnosis query is "My dishwasher is leaking..."[2] It appears from *Ruppelt* that a diagnosis tool attempts to identify recommended solutions based upon the submitted diagnosis query. As noted in the Office Action,[3] *Ruppelt* mentions weighting solutions for the diagnosis queries, although exactly how and why the solutions are weighted is not taught or described by *Ruppelt*. At any rate, it is clear that *Ruppelt* does not teach, suggest, or describe the recited "technical weighting" and the recited "preference weighting," as conceded in the Office Action.[4]

The Office therefore relies upon *Kim* as allegedly teaching the recited "technical weighting" and the recited "preference weighting." In attempted support of this rejection, the Office cites *Kim* at column 5, lines 13-47 as disclosing "merchant's desires." Thus, it appears that the Office equates a "merchant's desires" with the recited "technical weighting" and "preference weighting." *Kim*, however, does not teach, suggest, or describe the recited "technical weighting comprising a technical utility of the offered service to resolve the problem," as recited in claim 1. While *Kim* appears to broadly disclose taking a "merchant's desires" into account when searching text documents, *Kim* does not teach in an enabled manner using a "preference weighting" and a "technical weighting," as recited in claim 1.

Furthermore, *Kim* does not teach using the recited "weightings" to determine what services to provide to a user, or the additional recitations of claim 1 that make use of the recited "preference weighting" and/or the recited "technical weighting." Again, as mentioned above, the Office Action never addresses the recitations of claim 1 for presenting a set of suggested services. As recited in claim 1, the set of the suggested services includes a service determined based at least partially upon the "technical weighting" and the "preference weighting." Thus, the cited references fail to teach each and every recitation of claim 1, contrary to the requirements for a *prima facie* rejection under 35 U.S.C. § 103. For at least these reasons, the rejection of claim 1 under 35 U.S.C. § 103 should be withdrawn.

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[2] *Ruppelt*, column 3, lines 7-10.

[3] Office Action, page 3.

[4] *Id.*, page 4, second full paragraph.

Amended claim 13 recites "an offered service...associated with a technical weighting comprising a technical utility of the offered service to resolve the computer-related problem, and a preference weighting comprising a stored predetermined value indicating a preference of the service provider to sell the offered service to the customer." Additionally, claim 13 recites "logic configured to generate a set of suggested services comprising the offered service." As explained above with reference to the rejection of claim 1, at least these recitations of claim 13 are not taught, suggested, or otherwise disclosed by the cited references. Therefore, the rejection of claim 13 should be withdrawn for at least the reasons set forth above with respect to claim 1

Similarly, amended claim 24 recites "an offered service...associated with a technical weighting comprising a technical utility of the offered service to resolve the computer-related security problem, and a preference weighting comprising a stored predetermined value indicating a preference of the service provider to sell the offered service to the customer." Additionally, claim 24 recites generating "a set of suggested services comprising the offered service." As explained above with reference to the rejection of claims 1 and 13, at least these recitations of claim 24 are not taught, suggested, or otherwise disclosed by the cited references. Therefore, the rejection of claim 24 should be withdrawn for at least the reasons set forth above with respect to claim 1

Dependent Claims 2-3, 12, 14-15, 22, 25-28, and 32-33

As mentioned above, *Ruppelt* and/or *Kim* do not teach or describe each recitation of the independent claims and, therefore, each of the independent claims is in condition for immediate allowance. As such, each of the rejected dependent claims, *i.e.*, claims 2-3, 12, 14-15, 22, 25-28, and 32-33 is patentable over *Ruppelt* and/or *Kim* for at least the reasons discussed above with respect to the independent claims.[5] Additionally, each of the dependent claims recites additional features that, in combination with the independent claims, are not taught or described by *Ruppelt* and/or *Kim*. For at least these reasons, the rejections of claims 1-3, 12-17, 22, 24-28, and 32-33 under 35 U.S.C. § 103 should be withdrawn.

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[5] 35 U.S.C. § 112, fourth paragraph (2006).

Claims 7, 9-11, 18-21, and 29-31

In the Office Action, claims 7, 9-11, 18-21, and 29-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ruppelt* and *Kim* in view of *Lawrence*. In the Office Action,[6] *Lawrence* is relied upon as teaching various recitations of the dependent claims, for example, the weightings, weighted values, and/or thresholds recited in claims 7, 9-11, 18-21, and 29-31. *Lawrence* does not teach, suggest, or describe these recitations of the claims as set forth in the Office Action. Furthermore, even if *Lawrence* taught the features as set forth in the Office Action, a point the Assignee does not concede, *Lawrence* does not cure the above-identified deficiencies of *Ruppelt* and/or *Kim*. In particular, *Lawrence* does not teach, describe, or suggest the "technical weighting" and/or the "preference weighting," or generating "a set of suggested services comprising the offered service" as recited in claims 1, 13, and 24.

Thus, for at least the reasons set forth above with respect to the rejections of claims 1, 13, and 24, and since *Lawrence* does not cure the above-identified deficiencies of *Ruppelt* and *Kim*, claims 7, 9-11, 18-21, and 29-31 are allowable over *Ruppelt*, *Kim*, and/or *Lawrence*, individually or in any hypothetical combination. Therefore, the rejections of claims 7, 9-11, 18-21, and 29-31 under 35 U.S.C. § 103 should be withdrawn.

Claim 26

In the Office Action, claim 26 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ruppelt* and *Kim* in view of *Burnett*. The Office concedes[7] that *Ruppelt* and *Kim* fail to teach the recitations of claim 26 for "wherein the service suggestion analyzer comprises a psychological assistant module and a special deals interface module configured to provide special sales on time sensitive orders." The Office then relies[8] upon *Burnett* as teaching the "psychological assistant module" and the "special deals interface module" recited in claim 26. *Ruppelt*, *Kim*, and/or *Burnett* do not teach, suggest, or describe the "psychological assistant module" recited in claim 26.

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[6] Office Action, pages 7-9.

[7] Office Action, page 14.

[8] *Id.*

In the rejection of claim 26, the Office cites multiple passages[9] of *Burnett*, some of which appear to relate to special offers or time. While the Assignee does not concede that *Burnett* teaches, suggests, or otherwise discloses the recited "special deals interface module," *Burnett* clearly does not teach, suggest, or otherwise disclose a "psychological assistant module," or anything similar to the "psychological assistant module" recited in claim 26. Because at least this recitation of claim 26 is not addressed by the Office Action and/or taught, suggested, or described by the cited references, the rejection of claim 26 under 35 U.S.C. § 103 should be withdrawn.

Conclusion

In view of the foregoing amendment and remarks, the Assignee respectfully submits that all of the pending claims in the present application are in condition for allowance. Reconsideration and reexamination of the application and allowance of the claims at an early date is solicited. If Examiner Chojnacki has any questions or comments concerning this matter, Examiner Chojnacki is respectfully urged to contact the Assignee's undersigned attorney at (404) 815-1900.

Respectfully submitted,

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[9] *Id.* (citing paragraphs 0211, 0252, 0253, 0266, 0277, 0278, 0369, 0412, and 0413).